

09/749487

**DECLARATION AND POWER OF ATTORNEY
FOR ORIGINAL U.S. PATENT APPLICATION**

Attorney's Docket No. APP1P006

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A SYSTEM, METHOD AND ARTICLE OF MANUFACTURE FOR GLOBAL, DEVICE-INDEPENDENT DEPLOYMENT OF A SUPPLY CHAIN MANAGEMENT SYSTEM, the specification of which,

(check one)

1. ☒ is attached hereto.

2. ☐ was filed on _____ as
U.S. Application Serial No. _____
and was amended on _____.

3. ☐ was filed on _____ as
International PCT Application Serial No. _____
and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR § 1.56.

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Benefits Claimed?

(Appl. No.)

(Country)

(Filing Date)

☐ Yes ☐ No

(Appl. No.)

(Country)

(Filing Date)

☐ Yes ☐ No

(Appl. No.)

(Country)

(Filing Date)

☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s)

(Application Serial No.)

(Filing Date)

(Status - patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status - patented, pending, abandoned)

And I hereby appoint CARLTON FIELDS LLP, including **L. Keith Stephens (Reg. No. 32,632)**; **Kevin J. Zilka (Reg. No. 41,429)**; and **Dominic Kotab (Reg. No. 42,762)**; as my principal agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Send Correspondence To:

Carlton Fields, LLP
P.O. BOX 721030
San Jose, California 95172-1030

Direct Telephone Calls To:

Kevin J. Zilka at telephone number (408) 505-5100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of

Sole or First Inventor:

Thomas B. Robertson

Citizenship: USA

Inventor's signature:



Date of Signature: 12-6-2000

Residence: (City)

Sun City

(State/Country) Arizona/USA

Post Office Address:

10501 W. Ocotillo, Sun City, Arizona 85373

Full Name of Second Joint

Inventor (if any):

Peter J. Padd

Citizenship: AUSTRALIA

Inventor's signature:



Date of Signature: 12-6-2000

Residence: (City)

San Rafael

(State/Country) California/USA

Post Office Address:

247 Bret Harte Road, San Rafael, California 94901

Applicant/Patentee: Thomas B. Robertson and Peter J. Padd
Application or Patent No. Unassigned Attorney Docket No. APP1P006
Filed or Issued: Herewith

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR §1.9(f) and §1.27(c)--SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official empowered to act on behalf of the small business concern identified below:

NAME OF CONCERN: Appareon

ADDRESS: 1100 Island Drive, Redwood City, California 94065

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR §121.3-18, and reproduced in 37 CFR §1.9(d), for purposes of paying reduced fees under 41(a) and (b) of Title 35, U.S. Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: A SYSTEM, METHOD AND ARTICLE OF MANUFACTURE FOR GLOBAL, DEVICE-INDEPENDENT DEPLOYMENT OF A SUPPLY CHAIN MANAGEMENT SYSTEM, by inventor(s) Thomas B. Robertson and Peter J. Padd, described in:

☒ the specification filed herewith.

☐ Application No. _____ filed _____

☐ Patent No. _____ issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR §1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR §1.9(d) or a nonprofit organization under 37 CFR §1.9(e).
*Note: separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR §1.27)

Name: _____

Address: _____

☐ individual ☒ small business concern ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b)).

